

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ANTHONY K. IT,

Plaintiff,

v.

OFFICER BENDERAK, et al.

Defendants.

ORDER

Case No. 18-cv-250-wmc

On April 12, 2018, plaintiff Anthony K. It was directed to submit a certified trust fund account statement for the six month period preceding the filing of the complaint in support of the motion to proceed without prepayment of the filing fee. Now plaintiff has submitted a motion to extend the time limit to submit his six-month trust account statement.

In his motion, plaintiff says he has not had any income in the last two years and he has no money to obtain the six-month trust account statement. Because it appears that plaintiff presently has no means with which to pay the filing fee or to make an initial partial payment, the court will grant plaintiff's motion for leave to proceed without prepayment of the filing fee, but will not assess an initial partial filing fee. Even if this court ultimately determines that plaintiff's complaint cannot go forward, plaintiff is advised that the full \$350 filing fee for indigent litigants remains plaintiff's obligation. *See* 28 U.S.C. § 1915(b)(2).

Because plaintiff is a prisoner, plaintiff is subject to the Prison Litigation Reform Act, which requires the court to screen the complaint to determine whether any portion is frivolous or malicious, fails to state a claim on which relief may be granted or seeks monetary relief from a defendant who is immune from such relief.

ORDER

IT IS ORDERED that,

1. The motion filed by plaintiff Anthony K. It for leave to proceed without prepayment of the filing fee is GRANTED.
2. No further action will be taken in this case until the court has screened the complaint as required by the Prisoner Litigation Reform Act, 28 U.S.C. § 1915(e)(2). Once the screening process is complete, a separate order will issue.
3. Plaintiff's motion for extension of time is denied as moot.

Entered this 26th day of April, 2018.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge